

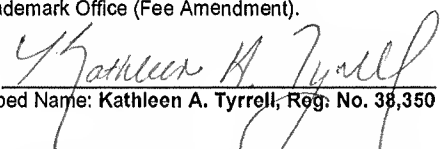
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: DEX0499US.NP  
Inventors: Fan et al.  
Serial No.: 10/593,799  
Filing Date: August 6, 2007  
Examiner: Blanchard, David J.  
Customer No.: 32800  
Group Art Unit: 1643  
Confirmation No.: 2565  
Title: LNG105 Antibody Composition and  
Methods of Use, and Use of LNG105  
to Assess Lung Cancer Risk

Electronically Submitted via EFS-Web  
Date: March 22, 2010

I hereby certify that this paper is being electronically  
submitted on the date indicated above to the  
Commissioner for Patents, U.S. Patent &  
Trademark Office (Fee Amendment).

By

  
Typed Name: Kathleen A. Tyrrell, Reg. No. 38,350

Commissioner for Patents  
U.S. Patent & Trademark Office  
(Fee Amendment)

Dear Sir:

AFFIDAVIT

In accordance with the conditions set forth by the  
Budapest Treaty the undersigned attorney of record hereby  
states, and affirms that:

The hybridoma producing Lng105.D18.2 related to the  
above referenced application has been deposited with, and  
accepted by an International Depository Authority under the  
provisions of the Budapest Treaty. The deposit was made on  
March 23, 2004 to the American Type Culture Collection at

10801 University Blvd, Manassas VA 20110-2209, USA. The ATCC Accession Number is PTA-5878.

The hybridoma producing Lng105.D28.5.1 related to the above referenced application has been deposited with, and accepted by an International Depository Authority under the provisions of the Budapest Treaty. The deposit was made on March 23, 2004 to the American Type Culture Collection at 10801 University Blvd, Manassas VA 20110-2209, USA. The ATCC Accession Number is PTA-5879.

The hybridoma producing Lng105.J86.1 related to the above referenced application has been deposited with, and accepted by an International Depository Authority under the provisions of the Budapest Treaty. The deposit was made on August 4, 2004 to the American Type Culture Collection at 10801 University Blvd, Manassas VA 20110-2209, USA. The ATCC Accession Number is PTA-6146. The deposited material is identical to the biological material described in the specification and was in applicants' possession at the time the application was filed.

The hybridoma producing Lng105.J109.1 related to the above referenced application has been deposited with, and accepted by an International Depository Authority under the provisions of the Budapest Treaty. The deposit was made on August 4, 2004 to the American Type Culture Collection at 10801 University Blvd, Manassas VA 20110-2209, USA. The ATCC Accession Number is PTA-6147. The deposited material is identical to the biological material described in the specification and was in applicants' possession at the time the application was filed.

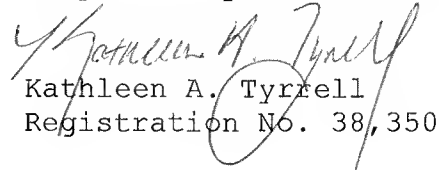
The hybridoma producing Lng105.D4.1 related to the above referenced application has been deposited with, and accepted by an International Depository Authority under the provisions of the Budapest Treaty. The deposit was made on March 11, 2005 to the American Type Culture Collection at 10801 University Blvd, Manassas VA 20110-2209, USA. The ATCC Accession Number is PTA-6629. The deposited material is identical to the biological material described in the

specification and was in applicants' possession at the time the application was filed.

During the pendency of this application, access to the deposits will be afforded to the Commissioner upon request. All restrictions upon public access to these cell lines will be irrevocably removed upon grant of a patent on this above referenced application. The Deposits will be maintained in a public depository for a period of thirty years after the date of deposit or five years after the last request for a sample or for the enforceable life of the patent, whichever is longer. The above-referenced cell lines were viable at the time of the deposit. The Deposits will be replaced if viable samples cannot be dispensed by the depository.

*I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.*

Respectfully submitted,

  
Kathleen A. Tyrrell  
Registration No. 38,350

Date: March 22, 2010

Licata & Tyrrell P.C.  
66 E. Main Street  
Marlton, New Jersey 08053

(856) 810-1515